

FILED
Clerk
District Court

SEP 13 2007

UNITED STATES DISTRICT COURT
DISTRICT OF THE NORTHERN MARIANA ISLANDS

By
(Deputy Clerk)

UNITED STATES of AMERICA,

Plaintiff,

v.

ONGRUNG, PRISCO,
a/k/a OMGRUNG, PRISCO,

Defendant.

Case No: CR 07 - 00027

COMPLAINT18 U.S.C. §§ 111(a) and (b)
(Count 1)

COUNT 1

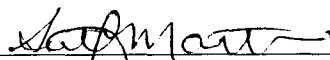
(Assault on a Federal Officer with Bodily Injury)

I, the undersigned complainant, being duly sworn, state that the following is true and correct to the best of my knowledge and belief. On or about September 12, 2007, on Saipan, in the District of the Northern Mariana Islands, Prisco Ongrung, a/k/a Prisco Omgrung, did intentionally, forcibly assault, resist, oppose, impede, intimidate and interfere with a person designated in Title 18, United States Code, Section 1114, that is, United States Department of Interior National Park Service Law Enforcement Ranger Samuel Martinsen, while he was engaged in and on account of the performance of his official duties. During this action, the defendant struck Law Enforcement Ranger Samuel Martinsen in the head, thereby inflicting bodily injury upon Law Enforcement Ranger Samuel Martinsen, all in violation of Title 18, United States Code, Sections 111(a) and (b). I further state that I am a Law Enforcement Ranger of the United States Department of Interior National Park Service and that this complaint is based on the following facts:

1 See attached probable cause statement, hereby incorporated by reference as if fully
2 restated herein.

3 Complaint is continued on the attached sheets, which are made a part hereof.

4 Law Enforcement Ranger Samuel Martinsen
5 Name of Complainant



Signature of Complainant

6 Authorized by AUSA Beverly R. McCallum

7 Sworn to before me and subscribed in my presence,

8 9/12/07 6:35 PM
9 Date

Saipan, CNMI
City and State

10 
11 Signature of Judicial Officer
12 Honorable Alex R. Munson
United States District Judge

Probable Cause Statement

I, Samuel James Martinsen, am a United States ("U.S.") Department of Interior National Park Service Law Enforcement Ranger. I have been employed with the U.S. Department of Interior as a Law Enforcement Ranger since August 1990. I am currently assigned to American Memorial Park on Saipan, in the Northern Mariana Islands, a U.S. Commonwealth.

At approximately 9:30 a.m. on Wednesday, September 12, 2007, while on patrol at the Outer Cove Marina (within the boundaries of American Memorial Park, a U.S. National Park), I saw a green Chevrolet Pickup being driven by Prisco ONGRUNG, a/k/a Prisco Omgrung. I had given Mr. ONGRUNG several warnings in the past for operating his vehicle without a current Commonwealth of the Northern Mariana Islands ("CNMI") driver license.

On the above date I was leaving the Outer Cove Marina area, when I saw Mr. ONGRUNG driving into that area. The posted speed limit is 10 mph, and I believed Mr. ONGRUNG to be driving faster than that. I turned around and followed him to a parking spot. I then parked my patrol vehicle and walked to his driver-side door. When I arrived I asked him if he had gotten his CNMI driver license yet. Mr. ONGRUNG answered, "No."

Mr. ONGRUNG went on to tell me that he had a court hearing on September 20, 2007. I reminded him that when I had contacted him about 3 to 4 weeks ago, he said that he would have his license within two weeks. I had given him verbal warnings after my past two or more contacts. On September 12, 2007, I told Mr. ONGRUNG that I would not give him a warning. I told him that I would instead issue a citation to him and that if he came to court with a valid CNMI driver license, I would ask the judge to dismiss the case.

1 I then returned to my vehicle and began to write the citation. As I was writing, Mr.
2 ONGRUNG started to walk away (in a northerly direction). I told him to stop. He turned
3 around and asked me why I was harassing him. I told him that I wasn't harassing him, but
4 that I could no longer overlook his violation of driving without a driver license. Mr.
5 ONGRUNG turned away from me and began walking in a northerly direction once again. I
6 ordered him to stop, but he refused to acknowledge my command. I left my vehicle, called
7 for backup and pursued him. When I caught up with Mr. ONGRUNG, I walked by his side
8 while telling him repeatedly to stop.

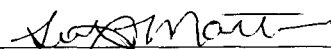
10 Despite the above commands to stop, Mr. ONGRUNG continued to disregard my
11 commands. I told him that if he didn't stop, then he was only going to be in more trouble.
12 Again he ignored my command to stop. As we walked, I positioned myself in front of him.
13 Using my right forearm, I placed it on his upper left-shoulder area. At that time, Mr.
14 ONGRUNG swung a fanny pack that he was carrying and forcefully hit me on the right side
15 of my face. I could feel blood running down my face as I backed away. I told him to put the
16 fanny pack down, but Mr. ONGRUNG refused to do so.

18 After Mr. ONGRUNG's refusal to comply with my command to put the fanny pack
19 down, I drew my service weapon, pointed it at him and again ordered him to put the pack
20 down. He said, "Shoot me." As I collected my thoughts, I holstered my weapon, grabbed his
21 fanny pack, and pulled it from his grasp. A struggle ensued, but I was finally able to take Mr.
22 ONGRUNG to the ground. Manuel Muna, an American Memorial Park maintenance
23 employee, ran to my assistance as I was struggling with Mr. ONGRUNG. Mr. Muna then
24

25 //

helped me to subdue Mr. ONGRUNG, whom I later turned over to U.S. Marshal custody.

09/12/2007
Date


Law Enforcement Ranger
Samuel Martinsen